

COURT UNITED STATES DISTRICT COURT  
COUNTY OF SOUTHERN DISTRICT OF NEW YORK  
MICHAEL MORRIS BUCHMAN

Index No. 08 CIV 5453

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**

MELVYN I. WEISS, ET AL.,

Plaintiff(s)

against

Defendant(s)

IN A CIVIL ACTION, CIVIL COVER SHEET,  
INDIVIDUAL PRACTICES OF RICHARD J.  
SULLIVAN, INDIVIDUAL PRACTICES OF  
MAGISTRATE JUDGE EATON

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at ISLIP TERRACE, NEW YORK

That on 6/23/08

at 4:20 P.M., at 74 COVE ROAD, OYSTER BAY COVE, NEW YORK

deponent served the within summons, and complaint on

MELVYN I. WEISS

defendant therein named,

IN A CIVIL ACTION, CIVIL COVER SHEET,  
INDIVIDUAL PRACTICES OF RICHARD J.  
SULLIVAN, INDIVIDUAL PRACTICE OF  
MAGISTRATE JUDGE EATON

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as  
said defendant therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to  
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and  
knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age  
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☒

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—  
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age  
and discretion thereat, having called there

ATTEMPTS: 6/18/08 AT 4:15 P.M.

6/20/08 AT 4:25 P.M.

6/20/08 AT 6:20 P.M.

6/21/08 AT 8:20 A.M.

MAILED ON: 6/24/08 AT 10:00A.M.

MAILING TO

RESIDENCE  
USE WITH 3 OR 45A. ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to  
defendant at defendant's last known residence, at 74 COVE ROAD, OYSTER BAY COVE, N.Y. 11771 and deposited  
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO

BUSINESS  
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly  
addressed to defendant at defendant's actual place of business, at  
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore  
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the  
communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN

NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional  
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any  
capacity whatever and received a negative reply. ~~Recipient was not in active military service of the United States or of the State of New York.~~ The source of  
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and  
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either  
the State or in the Federal statutes.

Sworn to before me on  
6/24/08

JOHN DICANIO  
Notary Public, State of New York  
No. 01D14977768  
Qualified in Westchester County  
Commission Expires Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE  
ROBERT GULINELLO

License No. 743652

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.